

FISH & NEAVE
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C O P Y

Mr. Bailey
Mr. Haley
Appel

July 17, 1987

Via Air Mail

Mr. John H. Bass
Reddie & Grose
16 Theobalds Road
London, WC1X 8PL
England

FTR-1166
United States Pat. Appln. 678,029

Dear John:

We have enclosed a copy of a final Office Action in the above-identified application. In view of the February 17, 1987 Amendment filed in the application, the Examiner has withdrawn the previous rejection of claims 1 and 3 under 35 U.S.C. § 102(b).

In the action, the Examiner maintains the rejection of claims 1-18 under 35 U.S.C. § 103 "as being unpatentable over" European Patent application 24,152 (Gaisch et al.). Specifically, the Examiner asserts that "Gaisch et al. teach the claimed invention in all the claims except for explicitly stating that they are monitoring the pH of the fermentation medium" and that "[i]t would be obvious to monitor the pH so that it can be maintained in the desired range."

In addition, the Examiner asserts that "Gaisch et al. teach adding phosphate buffer with the carbon source at a fixed ratio" and therefore, that the addition of the "pH regulator is necessarily proportional to the carbon source." Moreover, the Examiner maintains that Gaisch et al. "use" a biological feedback system to modify the pH and control the addition of a carbon source proportionally.

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Mr. John H. Bass 35 THIRD AVENUE, NEW YORK, N.Y. 10022-6250

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We will prepare a response for your review before
the October 10, 1987 due date.

With best regards.

Very truly yours,

James F. Haley, Jr.
Margaret A. Pierri

MAP:DDH:ef
Enclosure

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